

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1633

By: Winchester

COMMITTEE SUBSTITUTE

An Act relating to tourism and recreation; amending 74 O.S. 2001, Sections 1803.1a, 1803.1b and 1810, which relate to state lodges; authorizing the Oklahoma Tourism and Recreation Commission to lease or contract for the management of the state resorts; authorizing one or multiple leases or contracts; modifying name and source of funds for the Texoma Lodge Management Fund; deleting restriction on leasing the operation of the state resorts; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 2001, Section 1803.1a, is amended to read as follows:

Section 1803.1a The Oklahoma Tourism and Recreation Commission may enter into a lease agreement or a contract for the management services of Lake Texoma Lodge Resort, Lake Murray Resort, Roman Nose Resort, and Western Hills Resort. The Commission shall be exempt from the provisions of the Oklahoma Central Purchasing Act when entering into such lease agreement or management contract. The Commission is further exempt from the Central Purchasing Act when making purchases for the purpose of effectuating the lease agreement or management contract. The Commission may enter into one lease agreement or contract for management services for all four resorts or may enter into separate agreements or contracts for each resort. The lease agreement or contract for management services may be entered into by the Commission for one-year periods, renewable at the sole option of the Commission, but not to exceed a cumulative period of fifty (50) years. Prior to entering into any lease

agreement or contract for management services, all applicable provisions of any outstanding bond indenture(s) shall be complied with by the Commission.

SECTION 2. AMENDATORY 74 O.S. 2001, Section 1803.1b, is amended to read as follows:

Section 1803.1b There is hereby created in the State Treasury a revolving fund for the Oklahoma Tourism and Recreation Department to be designated as the "~~Texoma~~ Lodge Management Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received from any lease agreement or contract for management services of ~~Texoma Lodge~~ state lodges. All monies accruing to the fund are hereby appropriated and shall be budgeted and expended by the Oklahoma Tourism and Recreation Department to pay the expenses incurred as a result of the contract and for the purpose of making lease payments on bond indebtedness or any other outstanding obligation on the Lodge. Following the satisfaction of all outstanding obligations ~~on the Lodge as required by law~~, the remaining proceeds shall be deposited into the Oklahoma Tourism and Recreation Department Revolving Fund.

SECTION 3. AMENDATORY 74 O.S. 2001, Section 1810, is amended to read as follows:

Section 1810. A. The Division of Lodges shall, subject to the policies, rules of the Oklahoma Tourism and Recreation Commission:

1. Plan, supervise, construct, enlarge, improve, equip and operate state-owned and state-operated lodges and cabins, under the jurisdiction and control of the Commission;

2. Adopt rules for the administration and use of state-owned lodges, ~~except that the following state lodges, namely, Lake Murray Lodge, Roman Nose Lodge, and Western Hills Lodge, shall be operated by the State of Oklahoma and shall not be leased to any person, firm or agency for the operation thereof; except the.~~ The Commission may

adopt rules to lease concessions in any state-owned lodge if the Commission deems it feasible;

3. Obligate and expend funds in conformity with the general state laws governing such activity;

4. Exercise all authority and powers now vested in the Oklahoma Industrial Development and Park Commission and the Oklahoma Industrial Development and Park Department relating to state-owned lodges; and

5. Be authorized to award to any employee of the Division of Lodges within the Oklahoma Tourism and Recreation Department, additional compensation for:

- a. obtaining advertising for any of the Department's Internet websites, or
- b. obtaining advertising for any other of the Department's promotional publications, products, or properties.

B. Any compensation awarded pursuant to paragraph 5 of subsection A of this section shall not exceed twenty-five percent (25%) of the revenues collected for such purpose and shall be awarded at the discretion of the Director of the Department.

SECTION 4. This act shall become effective July 1, 2003.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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